

**CHAPTER 7-03.2-16**  
**LABELING MILK AND MILK PRODUCTS FOR RETAIL SALE AND**  
**OUT-OF-STATE BUTTER**

Section

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**7-03.2-16-01. Federal labeling requirements.** All milk and milk products must comply with the labeling and nomenclature requirements of title 21, Code of Federal Regulations, parts 131, 133, and 135, and section 343(q)( r) of title 21, United States Code.

**History:** Effective October 1, 2009.

**General Authority:** NDCC 4-30-55.1

**Law Implemented:** NDCC 4-30-35, 4-30-36, 4-30-45.1

**7-03.2-16-02. Cheese labeling.**

1. Bulk cheese must be legibly marked with:
  - a. The name of the product.
  - b. Date of manufacture.
  - c. Vat number.
  - d. The manufacturer's officially designated code number or name and address.
  - e. A statement whether the product is pasteurized or heat-treated, or intended for further processing.
  - f. Other information as required by United States department of agriculture regulations and by 21 United States Code 343(q)(r).
2. Each consumer-sized container must be marked with:
  - a. Name and address of the manufacturer or United States department of agriculture code.
  - b. Name of packer or distributor.
  - c. Net weight of the contents.

- d. Name of the product.
  - e. Date of manufacture.
  - f. Date of packing.
  - g. Other information as required by title 21, Code of Federal Regulations, part 133.
3. In lieu of the requirements of subsection 2 where it is not practical to label consumer-sized packages consistent with the requirements in subsection 2, a record of processing dates, product names, vat numbers, and plant code of the original bulk cheese must be kept on file at the particular establishment for one year and made available to the commissioner upon request.

**History:** Effective October 1, 2009.

**General Authority:** NDCC 4-30-55.1

**Law Implemented:** NDCC 4-30-35, 4-30-36, 4-30-45.1

**7-03.2-16-03. Sodium labeling.** Sodium labeling must comply with 21 United States Code 343(q)(r).

**History:** Effective October 1, 2009.

**General Authority:** NDCC 4-30-55.1

**Law Implemented:** NDCC 4-30-35, 4-30-36, 4-30-45.1

**7-03.2-16-04. Frozen desserts.** All frozen dessert labels must include:

1. Name of product.
2. Name of plant that processed the product.
3. Address of processor.
4. Size or volume of container.
5. Whether the product is naturally or artificially flavored.
6. List of ingredients in descending order.
7. Other pertinent information as required by United States department of agriculture regulations and 21 United States Code 343(q)(r).

**History:** Effective October 1, 2009.

**General Authority:** NDCC 4-30-55.1

**Law Implemented:** NDCC 4-30-35, 4-30-36, 4-30-45.1

**7-03.2-16-05. Out-of-state butter.** All butter coming into North Dakota must be from United States department of agriculture-listed plants.

**History:** Effective October 1, 2009.

**General Authority:** NDCC 4-30-55.1

**Law Implemented:** NDCC 4-30-35, 4-30-36